UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

ANDREW HILFORD,) 3:12-cv-00329-RCJ-WGC	
Plaintiff,) MINUTE ORDER) September 3, 2013	
VS.)	
CHRISTOPHER ROWLEY, et. al.)))	
Defendants.)	
	_)	
PRESENT: THE HONORABLE WILLIA	AM G. COBB, U.S. MAGISTRATE JUDGE	
DEPUTY CLERK: <u>KATIE OGDEN</u>	REPORTER: NONE APPEARING	
COUNSEL FOR PLAINTIFF(S): NONE APPEARING		
COUNSEL FOR DEFENDANT(S): NONE APPEARING		

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's Motion Demanding Jury Trial. (Doc. # 42.) Defendant Gittere has filed a notice of non-opposition. (Doc. # 47.)

The court will construe this as Plaintiff's demand for jury trial, governed by Federal Rule of Civil Procedure 38, which provides in pertinent part:

"The right of trial by jury as declared by the Seventh Amendment to the Constitution—or as provided by a federal statute— is preserved to the parties inviolate....[A] party may demand a jury trial by: (1) serving the other parties with a written demand—which may be included in a pleading—no later than 14 days after the last pleading directed to the issue is served; and (2) filing the demand in accordance with Rule 5(d)."

The Seventh Amendment states that parties have a right to trial by jury for all suits at law with more than \$20.00 in controversy. U.S. Const., amend VII.

MINUTES OF THE COURT

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Because Plaintiff filed his jury demand before Defendants filed their answer, accordingly it is timely under Rule 38. Therefore, Plaintiff's "motion" is **GRANTED** insofar as he has properly filed a jury demand under Rule 38.

IT IS SO ORDERED.

LAN	CE S. WILSON, CLERK
By:_	/s/
-	Deputy Clerk